IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 886 (S/S) of 2007

Smt. Sita Arya W/o Shri Rajender Lal
R/o Village Gadoli, Post Office - Gairsain
District- Chamoli -------- Petitioner

Versus

1. State of Uttarakhand through Secretary Education, Civil Secretariat, Dehradun
2. Director Vidhyalaya Shiksha, Civil Secretariat Dehradun
3. District Education Officer (Basic), District Chamoli
4. Deputy Block Education Officer, Gairsain, District Chamoli

---------- Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Ms. Prabha Noliyal, learned counsel for the petitioner and Sri Paresh Tripathi, learned Standing Counsel State of Uttarakhand for the respondents.

By means of this writ petition, the petitioner has challenged the order dated 22.05.2007 passed by Deputy Block Education Officer, Gairsain, by which the attachment of petitioner as Head Mistress in Primary School Farso, Gairsain has been cancelled and the petitioner has been directed to join in Primary School, Andrapa, Gairsain.

Learned counsel for the petitioner has informed that there are so many institutions where there is no post of Head Mistress. It is very surprising for the Court that there are institutions without any Head of the Institution.

Learned counsel for the petitioner has further alleged that petitioner has already been promoted on the post of Head

Mistress, Primary School and in that capacity, she had already worked after being promoted. In Primary School Andrapa, Gairsain, somebody is already occupying the post of Head Mistress, therefore, the petitioner will have to work there as Assistant Teacher in case she joined at Primary School, Andrapa.

If this is the position, as alleged by the petitioner, the District Education officer shall ensure the posting of petitioner as Head Mistress in any of the institution where the post of Head Mistress is vacant and if possible in Gairsain. The order shall be passed by District Education Officer within a period of three days from the date of production of a certified copy of this order before him by the petitioner.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

13.07.2007
VKS